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MEMO ENDORSED

BY FAX

Honorable Cathy Seibel
United States District Court
300 Quarropas Street
White Plains, New York 10605

Re: Agostino v Simpson, et al.
08 Civ 5760 (CS)(MDF)

*Application Granted
So Ordered
Cathy Seibel
9/2/08* *USDC*

Dear Judge Seibel:

Defendants have served and filed a motion to dismiss the complaint in the above referenced matter. The return date is currently set for September 12, 2008.

On the consent of defense counsel, Darryll Buford, Esq., I am writing to respectfully request an extension of time for Plaintiff to submit his opposition papers to September 19, 2008, with a return date of September 26, 2008. This is the first request for an extension of time in this case.

Respectfully,

[Signature]
Jonathan Lovett

JL:af

cc: Darryll A. Buford, Esq. by fax 212-692-0940